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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,199	12/02/2003	John Barrus	20412-08188	5157

758 7590 12/28/2006  
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MOUNTAIN VIEW, CA 94041

EXAMINER
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SHERMAN, STEPHEN G

ART UNIT	PAPER NUMBER
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2629

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/28/2006	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.

10/727,199

Applicant(s)

BARRUS ET AL.

Examiner

Stephen G. Sherman

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,4-17,19,20,22,24,25,27,29,30,33-44 and 46-48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4-17,19,20,22,24,25,27,29,30,33-44 and 46-48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This office action is in response to the amendment filed 4 December 2006. Claims 1,4-17,19,20,22,24,25,27,29,30,33-44 and 46-48 are pending. Claims 2-3, 18, 21, 23, 26, 28, 31-32 and 45 have been cancelled. The examiner notes that the amendment was filed as a request for continued examination (RCE), which is improper unless the prosecution in the application is closed (See the attached notice and refer to the MPEP § 706.07(h)). Therefore the examiner considers the amendment as filed under 37 CFR 1.111.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1,4-17,19,20,22,24,25,27,29,30 and 33-44 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. Claims 1,4-7, 9-13, 16-17, 19, 27, 29-30, 33-36, 38-40 and 43-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagawa (US 2004/0095314) in view of Spletzer et al. (US 6,919,909).

**Regarding claim 1**, Nakagawa discloses a projector display system for displaying an image including at least one window (Figures 4 and 9A-B), comprising:  
a projector for displaying the image (Figure 4 shows projector 3.);  
an input device, for receiving user input (Figure 4 shows user input device 1.);  
and

a control mechanism, coupled to the projector, for, responsive to the input device receiving a user command to drag the window from one location to another, changing the display location of the window portion of the image (Figure 4 shows the image display control unit 43 and Figures 9A-B show the movement of a window with respect to a user command to drag the window, as explained in Figure 10 and paragraphs [0070]-[0076].).

Nakagawa fails to teach of a multi-projector display system comprising a window projector, for displaying, at a display location, a portion of the image corresponding to a movable window and a workspace projector, for displaying the remainder of the image.

Spletzer et al. disclose of a multi-projector display system comprising:

a window projector, for displaying, at a display location, a portion of the image corresponding to a movable object (Figure 1 shows item 12 which displays a subset of the total image as explained in column 2, lines 11-19. Column 2, lines 22-29 explain that the subset of data, i.e. the data projected by the second projector, can change with time, such that the subset would move with the movement of the pointing device or an on screen object. The examiner understands that the onscreen object could be a window.); and

a workspace projector, for displaying the remainder of the image (Figure 1 shows item 11 which displays an entire image on a display surface as explained in column 2, lines 11-19.).

Therefore it would have been obvious to "one of ordinary skill" in the art at the time the invention was made to use the idea of having separate projectors as taught by Spletzer et al. with the display window projector system taught by Nakagawa in order to allow for the part of the display screen that the user is focusing on to be displayed in a higher resolution than the rest of the screen without incurring the cost associated with displaying the entire image at the higher resolution.

**Regarding claim 4**, please refer to the rejection of claim 1, and furthermore given the combination of references, the examiner interprets that since the window projector taught by Spletzer et al. changes the subset based on user input (see column 2, lines 26-29 and the rejection above.) that when used in combination with Nakagawa, the second projector will change focus from a first window on the screen to a second window on the screen, leaving the first window to be displayed by the workspace projector, when a user uses the input device to select the window.

**Regarding claim 5**, Nakagawa and Spletzer et al. disclose the display system of claim 1.

Spletzer et al. also disclose wherein:

the window projector displays the window portion of the image at a first level of resolution and the workspace projector displays the remainder of the image at a second level of resolution (Column 16, lines 11-18 explains that each projector in the example could be set to a resolution of 1024X728, meaning that the first and second level of resolutions are equal, see also column 1, lines 55-62).

**Regarding claim 6**, Nakagawa and Spletzer et al. disclose the display system of claim 5.

Spletzer et al. also disclose wherein the first level of resolution is greater than the second level of resolution (Column 1, lines 55-62.).

**Regarding claim 7**, Nakagawa and Spletzer et al. disclose the display system of claim 1.

Spletzer et al. also disclose wherein:  
the window projector displays the window portion of the image in a first visual format and the workspace projector displays the remainder of the image in a second visual format, wherein the first visual format is distinct from the second visual format (Column 16, lines 11-18 explains that each projector in the example could be set to a resolution of 1024X728, meaning that the first and second level of resolutions are equal, see also column 1, lines 55-62, where the examiner interprets that the visual format is the resolution of the video display.).

**Regarding claim 9**, please refer to the rejection of claim 1, and furthermore Spletzer et al. also discloses wherein the portion comprises a motion picture (Column 2, lines 25-29).

**Regarding claim 10**, Nakagawa and Spletzer et al. disclose the display system of claim 1.

Spletzer et al. also disclose wherein the window projector and the workspace projector are coupled to a common image source, and wherein the portion of the image displayed by the window projector and the remainder of the image displayed by the workspace projector are derived from a single image (Column 1, lines 56-62 explain that the portions of the image displayed by the projectors are from a single image.).

**Regarding claim 11**, Nakagawa and Spletzer et al. disclose the display system of claim 1.

Spletzer et al. also disclose wherein the window projector is coupled to a first image source (Figure 1 shows image source 18.), and the workspace projector is coupled to a second image source (Figure 1 shows image source 19.).

**Regarding claim 12**, please refer to the rejection of claim 4, where the examiner explains that based on the combination of Nakagawa and Spletzer et al. when there are two windows, the window that is selected by the user, i.e. in focus, is the window in which the window projector will display the portion of the image.

**Regarding claim 13**, please refer to the rejections of claims 4 and 12.

**Regarding claim 16**, Nakagawa and Spletzer et al. disclose the display system of claim 1.

Spletzer et al. also disclose wherein a control mechanism changes the display location of the window portion of the image by repositioning the window projector (Column 3, lines 13-17 explain that the video source, i.e. projector, can be moved to display on the appropriate portion of the display medium the image.).



**Regarding claim 17**, Nakagawa and Spletzer et al. disclose the display system of claim 1.

Spletzer et al. also disclose a system comprising a mirror for directing the output of the window projector to the display location, and wherein the control mechanism changes the display location of the window portion of the image by repositioning the mirror (Column 3, lines 10-13 explain that a movable mirror can be used to steer the image where it needs to be on the display medium.).

**Regarding claim 19**, Nakagawa and Spletzer et al. disclose the display system of claim 1.

Spletzer et al. also disclose wherein the control mechanism comprises:

a pan/tilt control mechanism (Column 16, lines 19-26 explain about the pan/tilt unit.); and

a zoom control mechanism (Column 16, lines 27-34 explain about the zoom lens assembly.).

**Regarding claim 27**, please refer to the rejection of claim 1, and furthermore Spletzer et al. also disclose wherein a display device can be used as the first display medium (Column 2, lines 40-42).

**Regarding claim 29**, this claim is rejected under the same rationale as claims 1 and 11.

***Regarding claim 30***, this claim is rejected under the same rationale as claim 1.

***Regarding claim 33***, this claim is rejected under the same rationale as claim 4.

***Regarding claim 34***, this claim is rejected under the same rationale as claim 5.

***Regarding claim 35***, this claim is rejected under the same rationale as claim 6.

***Regarding claim 36***, this claim is rejected under the same rationale as claim 7.

***Regarding claim 38***, this claim is rejected under the same rationale as claim 9.

***Regarding claim 39***, this claim is rejected under the same rationale as claim 12.

***Regarding claim 40***, this claim is rejected under the same rationale as claim 13.

***Regarding claim 43***, this claim is rejected under the same rationale as claim 16.

***Regarding claim 44***, this claim is rejected under the same rationale as claim 17.

6. Claims 8, 20 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagawa (US 2004/0095314) in view of Spletzer et al. (US 6,919,909) and further in view of Lechner et al. (US 5,487,665).

**Regarding claim 8**, Nakagawa and Spletzer et al. disclose the display system of claim 7.

Nakagawa and Spletzer et al. fail to teach of the multi-projector display system wherein the first visual format is color and the second visual format is monochrome.

Lechner et al. disclose a display system where the first visual format is color (see col. 6, lines 1-2) and the second visual format is monochrome (see col. 5, lines 13-17).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Lechner in the system taught by the combination of Nakagawa and Spletzer et al. in order to have a monochrome background image and a full color inset image where a different and known method of increasing the inset image resolution (see Lechner, col. 5, line 66 through col. 6, line 1, where the resolution is based on the number of lines and pixels) is used.

**Regarding claim 20**, please refer to the rejection of claim 1, and furthermore Nakagawa and Spletzer et al. fail to teach of displaying an image including at least two windows and a plurality of window projectors.

Lechner et al. disclose of displaying an image including at least two windows (Figure 1, images 24, see col. 5, lines 38-39, where the inset images correspond to

inset areas which are windows.) and a plurality of window projectors (Column 7, lines 46-48.).

Therefore it would have been obvious to "one of ordinary skill" in the art at the time the invention was made to incorporate the teachings of Lechner et al. in the system taught by the combination of Nakagawa and Spletzer et al. in order to have multiple inset images in a simulator apparatus (See Lechner column 2, lines 25-29.).

***Regarding claim 37***, this claim is rejected under the same rationale as claim 8.

7. Claims 14-15, 22 and 41-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagawa (US 2004/0095314) in view of Spletzer et al. (US 6,919,909) and further in view of Fisher (US 5,242,306).

***Regarding claim 14***, Nakagawa and Spletzer et al. disclose the display system of claim 1.

Nakagawa and Spletzer et al. fail to teach wherein the workspace projector displays the remainder of the image while leaving blank an area of the image corresponding to the display location of the window.

Fisher discloses of a display system wherein a first projector displays the remainder of an image while leaving blank an area of the image corresponding to the display location of a window (Column 3, lines 47-49 explain that the green projector leaves the inset area A blank.).

Therefore it would have been obvious to “one of ordinary skill” in the art at the time the invention was made to use the idea of leaving the space blank on the projector as taught by Fisher with the display system taught by the combination of Nakagawa and Spletzer et al. in order to illustrate good color balance and uniformity while displaying a high resolution image.

**Regarding claim 15**, Nakagawa, Spletzer et al. and Fisher disclose the display system of claim 14.

Fisher also discloses wherein the projector moves the blank area of the image so as to correspond to the changed display location of the window (Column 5, lines 9-12, where cooperation on the image generator indicates that the shift in display location causes the workspace projectors to move the inset area A.).

**Regarding claim 22**, please refer to the rejection of claim 1, and furthermore Nakagawa and Spletzer et al. fail to teach of the display system comprising a plurality of workspace projectors.

Fisher discloses a display system comprising a plurality of workspace projectors (Figure 1 shows that all of the projectors 10, 12 and 14 are workspace projectors.).

Therefore it would have been obvious to “one of ordinary skill” in the art at the time the invention was made to use the teaching of Fisher with the display system taught by the combination of Nakagawa and Spletzer et al. in order to provide a system

with an individual projector for each individual color such that a full spectrum of colors can be perceived by controlling the intensities of the respective projectors.

***Regarding claim 41***, this claim is rejected under the same rationale as claim 14.

***Regarding claim 42***, this claim is rejected under the same rationale as claim 15.

8. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagawa (US 2004/0095314) in view of Spletzer et al. (US 6,919,909) and further in view of Fisher (US 5,242,306) and Fisher et al. (US 5,326,266).

***Regarding claim 24***, Nakagawa, Spletzer et al. and Fisher disclose the display system of claim 22.

Nakagawa, Spletzer et al. and Fisher fail to teach a display system, wherein the window projector displays the portion of the image corresponding to a window without any visible seams.

Fisher et al. disclose a display system, wherein the window projector (Fig. 1, projector 14) displays the portion of the image corresponding to a window (Fig. 1, inset 10) without any visible seams (see col. 1, lines 65 - col. 2, line 5).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Fisher et al. in the system taught by the combination of Nakagawa, Spletzer et al. and Fisher in order to have an oscillating

border to the inset area so that the inset image would appear blended with the background image.

9. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagawa (US 2004/0095314) in view of Spletzer et al. (US 6,919,909) and further in view of Lechner et al. (US 5,487,665) and Fisher (US 5,242,306).

***Regarding claim 25***, please refer to the rejection of claim 1, and furthermore Nakagawa and Spletzer et al. fail to teach of displaying an image including at least two windows and a plurality of window projectors.

Lechner et al. disclose of displaying an image including at least two windows (Figure 1, images 24, see col. 5, lines 38-39, where the inset images correspond to inset areas which are windows.) and a plurality of window projectors (Column 7, lines 46-48.).

Therefore it would have been obvious to “one of ordinary skill” in the art at the time the invention was made to incorporate the teachings of Lechner et al. in the system taught by the combination of Nakagawa and Spletzer et al. in order to have multiple inset images in a simulator apparatus (See Lechner column 2, lines 25-29.).

Nakagawa, Spletzer et al. and Lechner et al. fail to teach of the display system comprising a plurality of workspace projectors.

Fisher discloses a display system comprising a plurality of workspace projectors (Figure 1 shows that all of the projectors 10, 12 and 14 are workspace projectors.).

Therefore it would have been obvious to "one of ordinary skill" in the art at the time the invention was made to use the teaching of Fisher with the display system taught by the combination of Nakagawa, Spletzer et al. and Lechner et al. in order to provide a system with an individual projector for each individual color such that a full spectrum of colors can be perceived by controlling the intensities of the respective projectors.

10. Claims 46 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagawa (US 2004/0095314) in view of Spletzer et al. (US 6,919,909) and further in view of Dugdale (US 5,707,128).

***Regarding claim 46***, please refer to the rejection of claim 1, and furthermore Nakagawa and Spletzer et al. fail to teach wherein the control mechanism changes the size of the window portion of the image in response to a user command for resizing the window.

Dugdale does teach a display system wherein a control mechanism changes the size of the window portion of the image in response to a user command for resizing the window (see col. 3, lines 4-9, where the lens on the target projector can perform a zoom function to change the size of the target image).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the zooming lens of Dugdale in the system taught by



the combination of Nakagawa and Spletzer et al. in order to adjust the size of the target image if it does not appear to be the proper size.

***Regarding claim 48***, this claim is rejected under the same rationale as claim 46.

11. Claim 47 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagawa (US 2004/0095314) in view of Spletzer et al. (US 6,919,909) and further in view of Lechner et al. (US 5,487,665) and Dugdale (US 5,707,128).

***Regarding claim 47***, please refer to the rejection of claim 20, and furthermore Nakagawa, Spletzer et al. and Lechner et al. fail to teach wherein the control mechanism changes the size of the window portion of the image in response to a user command for resizing the window.

Dugdale does teach a display system wherein a control mechanism changes the size of the window portion of the image in response to a user command for resizing the window (see col. 3, lines 4-9, where the lens on the target projector can perform a zoom function to change the size of the target image).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the zooming lens of Dugdale in the system taught by the combination of Nakagawa, Spletzer et al. and Lechner in order to adjust the size of the target image if it does not appear to be the proper size.

***Conclusion***

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen G. Sherman whose telephone number is (571) 272-2941. The examiner can normally be reached on M-F, 8:00 a.m. - 4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on (571) 272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2629

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SS

15 December 2006

AMR A. AWAD  
SUPERVISORY PATENT EXAMINER  




DATE MAILED:

## NOTICE OF IMPROPER REQUEST FOR CONTINUED EXAMINATION (RCE)

The request for continued examination (RCE) under 37 CFR 1.114 filed on \_\_\_\_\_ is improper for reason(s) indicated below:

- ☐ 1. Continued examination under 37 CFR 1.114 does not apply to an application for a design patent. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA under 37 CFR 1.53(d). An RCE cannot be treated as a CPA.
- ☐ 2. Continued examination under 37 CFR 1.114 does not apply to an application that was filed before June 8, 1995. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b).
- ☒ 3. Continued examination under 37 CFR 1.114 does not apply to an application unless prosecution in the application is closed. If the RCE was accompanied by a reply to a non-final Office action, the reply will be entered and considered under 37 CFR 1.111. If the RCE was not accompanied by a reply, the time period set forth in the last Office action continues to run from the mailing date of that action.
- ☐ 4. The request was not filed before payment of the issue fee, and no petition under 37 CFR 1.313 was granted. If this application has not yet issued as a patent, applicant may wish to consider filing either a petition under 37 CFR 1.313 to withdraw this application from issue, or a continuing application under 37 CFR 1.53(b).
- ☐ 5. The request was not filed before abandonment of the application. The application was abandoned, or proceedings terminated on \_\_\_\_\_. Applicant may wish to consider filing a petition under 37 CFR 1.137 to revive this abandoned application.
- ☐ 6. The request was not accompanied by the fee set forth in 37 CFR 1.17(e) as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.
- ☐ 7. The request was not accompanied by a submission as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.

**Note:** A continued prosecution application (CPA) under 37 CFR 1.53(d) cannot be filed in a utility or plant application. A CPA filed in a utility or plant application that has a filing date on or after June 8, 1995 will be treated as an RCE under 37 CFR 1.114. The request for a CPA in the instant application, however, has been treated as an improper RCE for the reason(s) indicated above.

***A copy of this Notice MUST be returned with the reply.***

Direct any questions concerning this notice to

\_\_\_\_\_, Technology Center \_\_\_\_\_.

(571) \_\_\_\_\_